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September 6, 1939 minutes of the Board of Education for Frederick County; (e) Exhibit No. 6 - Plat prepared by Sutcliffe and Associates, Inc.; (f) Exhibit No. 7 - Map N. 79B prepared by Maryland Department of Assessment and Taxation; (g) Exhibit No. 8 - Deed dated January 12, 1962 from Alden E. Fisher, et al., unto George R. Brinkley, et al., recorded in Liber 666 folio 39, among the Land Records of Frederick County, Maryland; (h) Exhibit No. 9 - Deed dated February 15, 1966, from Eulah J. Collins unto G. Ross Brinkley, et al., recorded in Liber 740 folio 677 among the Land Records of Frederick County, Maryland.

2. That each of the following statements of fact is true:

(a) That plaintiffs knew that the building located on Lot No. 85 in the Town of New Market, Maryland encroached upon the rights of way of Federal Street and North Alley at or prior to time when they acquired a deed for the subject property from James Frenkil, et al., dated July 19, 1974 recorded in Liber 943 folio 910, one of the Land Records of Frederick County, Maryland; (b) That plaintiffs have no ownership interests in the street beds of Federal Street and North Alley in the Town of New Market, Maryland; (c) That plaintiffs do not have fee simple title to Lot No. 85 in the Town of New Market, Maryland.


PEYTON PAUL PHILLIPS
Attorney for Intervenors